

December 13, 2002

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Dear Bob:

As previously discussed, herewith New Jersey's state "plan," in the form of a discussion draft. As I advised you by phone some time ago, since New Jersey's planning process covers a range broader than that of the LSC, your seven-art format was too constricting for us. I trust you will be able to find all of the salient information.

I look forward to discussing this with you. It is, as they say, a piece of work. Lest there be any doubt, I am the contact person for this process.

Be well.

Sincerely,

Melville D. Miller, Jr.  
President

## **Discussion Draft**

**JUSTICE FOR ALL 2000:**

**A MASTER PLAN FOR**

# **LEGAL SERVICES IN NEW JERSEY**

**1999 – 2001**

**A Preliminary Report from the Legal Services  
Planning and Reengineering Process – Phase II**

**Legal Services of New Jersey  
September 1998**

## PART ONE INTRODUCTION AND BACKGROUND

In 1994, Legal Services programs in New Jersey, under the leadership of Legal Services of New Jersey (LSNJ), initiated a comprehensive statewide analysis of every aspect of their work in providing legal assistance to low-income people. Termed the statewide planning and reengineering process, its first phase resulted in sweeping changes in Legal Services' delivery structure and approach, detailed in the report that appears as Attachment 1 to this document.

Now, in 1998, LSNJ has begun the second phase of this process. This discussion draft constitutes the work product of an initial intensive round of analysis, consultations and meetings with scores of affected parties, and proposes a specific plan for action for a three year period ending in December 2001. The report is offered in the form of a discussion draft, for comment by and discussion with Legal Services' partners and stakeholders during the fall of this year. The final plan will be adopted in December. During this consultation phase, comments and reactions will be sought from parties and organizations concerned with the work of Legal Services, committed to the vision of equal justice for all, or generally involved with people of low or moderate incomes. Pending this consultation, implementation will begin on a number of projects remaining uncompleted from the Phase I plan or otherwise requiring immediate attention. After completion of the Phase II Plan this fall, this implementation will continue throughout the next three years. It is anticipated that, in 2000, preparations can begin for the next planning phase.

### Background To This Document

Legal Services programs in New Jersey have a long history of statewide planning efforts and overall coordination. With regard to statewide planning, there have been several high points, beginning with the decision in 1972 to organize and incorporate LSNJ as an umbrella corporation and coordinating vehicle for the state's Legal Services programs. In 1974, the decision was made to fund LSNJ through dues from local programs, in order to hire staff to launch a newsletter and conduct other coordination activities on a more systematic basis. In 1979-1980, LSNJ conducted a comprehensive qualitative analysis of all substantive areas of clients' legal problems, culminating in a five-year plan to guide representation and advocacy. This was followed by a 1981 examination of the desirability of completely reorganizing Legal Services in New Jersey, including specifically the possibility of consolidation into a single statewide program. This 1981 process led to reorganization of LSNJ, discarding its prior board consisting of Legal Services staff, and replacing it with a new board composed entirely of outside trustees. In 1987, LSNJ published the results of a comprehensive two-year social science study of the legal needs of the poor in New Jersey, to help guide program resource allocation, priorities and representation in the years to come.

Finally, in 1994-1995, LSNJ coordinated a new statewide planning and reengineering effort, the most comprehensive since 1981, to examine all areas of Legal Services' work and operations, targeting certain key areas and projects for fundamental change and improvement. The final 1995 report on the plan for Phase I is Attachment 1 to this document, and the September 1998 status report on the progress to date in implementing the Phase I plan is Attachment 2.

Apart from statewide analysis and planning, New Jersey has, through LSNJ, long coordinated many major aspects of Legal Services' operations. A full description of these efforts appears in Part Two of this document.

Further impetus to Phase II comes from the national Legal Services Corporation (LSC), still the largest single funding source for indigent civil legal assistance in the country as a whole. (In New Jersey the LSC is a significant source, but supplies only some 16% of New Jersey Legal Services' total funding.) In early 1998 the LSC required its grantees to engage in a new statewide planning effort, broadening and updating analysis from a similar process that it had required in 1995.

In undertaking this new statewide planning and reengineering effort, participating New Jersey Legal Services programs were guided by a singular, entirely client-centered focus: to increase the quantity of resources used for client services, as well as their effectiveness, and to achieve enhanced outcomes for clients.

### Description and Scope of the Planning and Reengineering Process

As the entity responsible for coordinating New Jersey's Legal Services system as well as its principal funding conduit, LSNJ convened Phase II of the planning and reengineering process in early 1998. With their client-centered focus, New Jersey programs are committed to reexamining on a regular basis the effectiveness of their efforts to achieve Legal Services' mission. This second phase was expressly contemplated in the final Phase I report. This discussion draft has been approved for release by the LSNJ Board. Many key tenets have been preliminarily discussed with representatives of state government, the judiciary, and the New Jersey State Bar Association, and further consultation will be carried on throughout the fall with these key partners and other interested parties, among them specialty bar associations, county bars, law schools, public interest legal organizations, and representatives of the major in-state funding sources, the State of New Jersey and the IOLTA Fund of the Bar of New Jersey. At the direction of the LSNJ Board, and in recognition of New Jersey Legal Services' role as the core of the effort to provide indigents with legal assistance in civil matters in New Jersey, the first priority of this document is to identify the steps necessary to enhance the coordination, effectiveness and efficiency of that core Legal Services system. The next priority is to identify steps and strategies to integrate that core system with a wider network of partners involved in some form of civil legal assistance and the quest for equal justice.

This document has at least three audiences: an internal Legal Services audience (as a master plan for Legal Services in this state for the next three years); an external New Jersey audience (as an explanation of our system, vision, mission, and ultimately justification, and an indication of how we seek to work with – and receive support from – key partners in the years ahead); and an external national audience (Congress and the LSC, communicating the coherency and competence of the New Jersey system). This document also serves as a master plan for LSNJ.

### Organization of This Document

Part Two of this document describes New Jersey's statewide Legal Services system, including its mission, history, structure, key characteristics, and general status. It concludes with a detailed assessment of strengths in and challenges faced by the statewide system. Part Three then articulates a new statewide vision for Legal Services in the state, details the key characteristics of an integrated statewide system, and itemizes the specific steps and changes to be pursued during the next reengineering period (late 1998 through 2001). This listing of changes and steps includes, where applicable, indication of necessary roles for non-Legal Services partners and organizations.

## PART TWO NEW JERSEY'S LEGAL SERVICES SYSTEM

### Mission

Legal Services' mission in New Jersey historically has been to achieve its vision of *affording the greatest possible degree of access to essential civil legal aid for economically disadvantaged people who cannot secure a lawyer on their own, and through that legal aid to secure for them equal justice, both substantive and procedural.* It is clear that the core, root political consensus which supports funding of civil legal assistance to indigents comes from a sense of fair play, and a conviction that somehow society should address important basic legal needs of individuals. Past opinion polls suggest a majority, and fairly deeply held, public accord on this vision. Consequently, at bottom Legal Services' core vision and mission cannot deviate significantly from this accord, and the program must continue to maintain principal focus on meeting these basic needs. Any other course will drain majoritarian public support. At the same time, conducting this basic representation in the most effective and efficient way inevitably compels Legal Services to pursue complementary actions, most particularly legal representation which tends to help rebuild impoverished, deteriorated communities, and which addresses in a single forum or legal action recurrent problems which repeat themselves hundreds and thousands of times in cases involving low-income people. Moreover, Legal Services must place special emphasis on representation which actually secures fair outcomes for clients, and which protects and enforces their legal rights. All of these activities – and emphases – are essential if disadvantaged individuals are to believe and participate in our ordered legal processes for resolving disputes.

To achieve this core mission, there are at least three distinct corollaries, also ultimately part of the overall mission statement:

*Legal Services must function as a concerted, coherent, closely coordinated legal assistance delivery system, using all available resources as efficiently and effectively as possible, to achieve its vision.*

*Legal Services must develop the resources necessary to achieve this vision.*

*Legal Services must incorporate the views of its service consumers and key partners, as appropriate to their experience, stake and role, in making major decisions about how to design and implement its system of services.*

### Overview of the Statewide Legal Services System in New Jersey

#### History

Initially Legal Services programs grew up in the mid-1960's on a county-by-county basis, typically where there were supportive bar leaders or local community organizations. In a

number of cases, these new programs merged with and supplanted preexisting county bar association legal aid societies. Many Legal Services programs began as part of OEO-funded community action corporations, later splitting and becoming independent. Since the mid-1970's, all county Legal Services programs have been independent non-profit corporations, not part of or affiliated with any other community organization. Each has its own board of trustees, a majority of whom are lawyers appointed by the local county bar association.

Statewide coordination of these separate county programs began later in the 1960's, coordinated first by the State Office of Legal Services within the state Department of Community Affairs, then by an informal project directors group in 1971-1972, by the New Jersey Legal Services Association in 1973, and thereafter by LSNJ, starting later that year (LSNJ had been organized a year earlier, in 1972). New Jersey has thus had a long – and strong – history of statewide coordination going back three decades, through LSNJ and its staff, task forces, statewide training, newsletters, legal and administrative support, fundraising and other work. Local program staff participate actively in and support these activities. Since 1973 Legal Services has spoken with a unified voice through LSNJ to the judiciary, Legislature, Governor and executive branch, and is perceived by each as a unified system, an enormous strength.

The various growth and retrenchment periods have each in turn tended to further strengthen this systematic coordination. During the expansion period from 1976 to 1979, New Jersey put substantial resources into increasing LSNJ's staff. Then, during the 1981-1983 retrenchment phase, LSNJ was called upon to coordinate the planning response and the quest for new resources. This emphasis on securing state level restoration and expansion funding continued through the remainder of the 1980's and 1990's.

## Description of the present New Jersey system.

Legal Services' total statewide funding of \$29 million annually comes from a diversity of sources – a true partnership. The largest share, \$10.5 million (36%), comes from the state, nearly matched by \$9.8 million (33.7%) from IOLTA funds. Another \$4.5 million comes from the LSC, \$1.27 million from counties and other units of government, and nearly \$1 million from private sources. All funding available on a statewide basis to support direct services by local programs is allocated according to an equal-dollars-per-poor-person formula, except for a historical premium to the smallest four programs to maintain viable offices in the five counties they serve. Given IOLTA's prominence as the source of one-third of Legal Services' funding, the entire state system is now under the cloud raised by the initial United States Supreme Court decision in Washington Legal Foundation v. Phillips. While objective legal analysis strongly indicates that IOLTA programs are constitutional, there is obviously no certainty as to how the decision will go. Consequently, it is imperative that state sources be prepared to replace this funding if it is lost, and that key state partners be prepared to support that replacement.

Legal Services represented over 43,000 indigent New Jerseyans in 1998, and has represented nearly 1.3 million since the program's inception. Hundreds of thousands more received assistance through self-help materials, preventive legal education and *pro per* clinics. With the advent of the new statewide legal hotline, these figures will be even higher in 1998. Based on past figures, over one-third of these will be housing cases, one-fifth will be family matters, another one-fifth will involve problems with governmental income maintenance programs, and fifteen percent will deal with consumer issues. In particular geographical areas, however, there is often significant variation. For example, more densely urban counties generally have a higher proportion of housing cases, and some counties have much higher concentrations of entitlement problems.

As a system, Legal Services programs provide a full range of services. LSC-funded local programs provide the bulk of the direct representation in most types of cases. LSNJ, which receives no federal LSC funding by dint of a 1995 Congressional decision, is able to provide a substantial amount of representation in types of cases which cannot be handled by LSC-funded grantees. LSNJ is also able to provide representation and a presence before the Legislature and state administrative agencies.

New Jersey's 14 local programs have full-time offices in 20 of the state's 21 counties, and three counties actually have two office sites within their borders. As indicated by the funding premium described above, New Jersey Legal Services has long placed great importance on having a physical presence – a full-time office – in every county, in order to enhance client access in a state which does not have a good public transportation infrastructure (except within and between certain urban areas). The location of programs and offices, as well as a more in-depth description of various aspects of the state system, can be found in "Providing Essential Legal Aid," Attachment 3 to this document. LSNJ's coordinating role is multifaceted: it acts as funder, fundraiser, and support center. It engages in major case advocacy; provides direct representation in cases where it is best carried out or coordinated statewide, or where funds are only available on a statewide basis; provides the vehicle for statewide accountability for the Legal Services system; represents Legal Services at the state level; conducts research and analysis in delivery and substantive areas; provides leadership; and serves as a catalyst for innovation and improvement.

External reference points for understanding Legal Services' status in New Jersey

New Jersey's Legal Services system is unlike that of any other state. The degree of

coordination and structured collaboration, while still preserving the benefits of autonomy in independent local programs, is not matched elsewhere. New Jersey programs have developed and maintained a very substantial amount of local funding – roughly 8% of the statewide total. The smallest programs have typically been the most successful in this regard. At the same time, the combination of New Jersey’s state level funding through state appropriations and IOLTA also is unmatched nationally, and stems from its close coordination and unified voice through LSNJ. This state level funding also gains strong support from the local programs’ close ties with many county bar associations and communities. New Jersey is an extremely strong home rule state, with much authority – and pride – relegated to its some 567 municipalities and 21 counties. Legal Services’ unique balance of tight statewide coordination and decentralized program structure historically appears to have worked well here.

Four of New Jersey’s programs – Hunterdon, Warren, Somerset-Sussex and Morris, are the four smallest nationally in terms of LSC funding, leading to considerable national pressure on them over the years to consider consolidation. On the other hand, if one looks at **total funding**, Hunterdon is 12<sup>th</sup>, Warren 19<sup>th</sup>, Somerset-Sussex 68<sup>th</sup> and Morris 70<sup>th</sup> from the smallest, a major difference. Even more dramatic, and perhaps demonstrating the importance of a local presence in local fundraising, when looking only at funding from other than federal, state or IOLTA sources (essentially this means local funding), Warren is now 71<sup>st</sup> from the bottom, Morris 77<sup>th</sup>, Somerset-Sussex 82<sup>nd</sup>, and Hunterdon 125<sup>th</sup>. This information naturally leads to concern on the part of LSNJ about the wisdom of forced tampering with the current program configuration – at least from the perspective of ability to raise more local resources.

One other aspect of Legal Services’ current status bears mention – the national situation. The LSC’s annual struggles in Congress continue, but seemingly with less drama, and perhaps less risk. In fact, LSC funding has remained relatively constant since the 1995 cuts, and there is no clear evidence that this pattern will change markedly in the near future. Opposition to Legal Services within the Beltway has actually become entrenched and institutionalized, through a small propaganda machine called the “National Legal and Policy Center” which appears to focus exclusively on Legal Services, and is not known for its veracity or balance. On the other hand, there is no indication that such efforts are having any real effect. At the same time, the discouraging and constricting new wave of restrictions that were placed on LSC funding and grantees in 1995 remain in full force, and despite their negative impact in actual practice (causing great inefficiencies in the way applicants for service must be processed and referred) and principle (denial of essential and fundamental legal assistance to some who need it), no signs suggest their imminent repeal.

## Assessment of the New Jersey Legal Services system and programs

### Strengths to be continued and built upon

Statewide fundraising (IOLTA, State, private Campaign for Justice). New Jersey’s IOLTA funding for Legal Services typically ranks first or second in the country and direct state funding is also first. The annual statewide private fundraising effort, the Campaign for Justice, is one of the most successful in the country.

Statewide reputation, respect and credibility. As recently restated on a number of occasions by New Jersey’s Chief Justice Deborah Poritz, the Legal Services system in New Jersey is viewed as an essential and fundamental part of the



justice system, a core capacity supporting a critical measure of access to legal processes and just resolution of disputes and grievances.

State bar support. For decades the New Jersey State Bar Association has given its strong, unswerving support as it spoke and worked in favor of funding preservation and increases, and against limitation or restriction of Legal Services' efforts to assist clients. This support has been the determining factor in Legal Services' past success in securing state and IOLTA funding.

Locally rooted. New Jersey's configuration, with a baseline of 14 county or multi-county programs, appears to have been a key factor in many counties encouraging significant local bar support. This local presence, described earlier, appears also to have been a major factor encouraging in many localities contributions from local funders (counties, United Ways, Title III agencies, mental health boards, etc.), as well as good working relationships with the judiciary. A series of documents relating to New Jersey's configuration appears as Attachments 5 through 9 to this document.

Statewide training. A tradition in New Jersey since LSNJ started statewide training events in the 1970's, the LSNJ annual training and seminar calendar is now the most extensive in the country, with basic and advanced substantive, skills and procedure training, and other staff workshops, which consumed more than 70 training days in 1997.

Major state advocacy presence. Principally through LSNJ, Legal Services has a presence in most major matters affecting low-income people. Important local program staff cases are buttressed through LSNJ *amicus* work when significant issues are involved. As the New Jersey Legal Services program which receives no LSC funding, and thus is not encumbered by the myriad LSC restrictions, LSNJ also engages in representation before legislative and administrative forums when matters involving the recurrent legal problems of the poor are involved, in order to make the most efficient use of Legal Services' resources.

Statewide information dissemination to Legal Services programs, community organizations, service providers and low-income people. LSNJ publishes several community legal handbooks, a range of self-help materials, and monthly community and Legal Services newsletters, and has initiated a comprehensive Web page, with both public and private sections, including a "Researchnet" link to LSNJ's new electronic library. It also has just written the second edition of a 400-plus page guide to New Jersey law, which has been distributed to libraries and schools all over the state.

Statewide legal coordination and support. Through its longstanding task forces, and telephone, electronic and in-person communication with LSNJ staff, as well as an experienced network of local program case handlers from around the state, Legal Services provides extensive support in complex or difficult cases. In addition to providing on the spot advice, LSNJ staff also conduct research, review drafts, help secure and channel advice from national and other state sources, and provide other help. Finally, in appropriate difficult or major cases LSNJ staff are also available to co-counsel with local program staff.

Statewide technology infrastructure. One of the major products of the last

reengineering and planning process has been implementation of a massive statewide Legal Services technology installation and upgrade, as described in more detail in Attachment 2. This initiative has created great capabilities to support Legal Services' work: all Legal Services staff have desktop access to statewide e-mail (through a hard-wired wide area network), the Internet, Westlaw online research (unlimited hours), and LSNJ's statewide electronic law library. In addition, a technology reserve for future statewide acquisitions and upgrades has been set aside.

Statewide management and technical assistance, and administrative coordination. For many years LSNJ has coordinated a flow of information about a host of administrative tasks and issues, in an effort to promote efficiency and redirect more resources to client service. Examples are health and dental insurance (at one point LSNJ ran a statewide health insurance plan for some 18 years, and still coordinates a statewide dental plan), bulk purchasing (past studies have not shown this to be cost-effective, but it is periodically reexamined), insurance, major equipment purchases (providing prior review, advice and approval), statewide salary comparability studies and recommended guides, and like undertakings. LSNJ staff also provide telephonic, electronic and in-person assistance in response to requests for help.

Statewide accountability framework. LSNJ is the major funding conduit for New Jersey Legal Services programs; currently more than \$18 million is distributed by LSNJ to local programs through subgrants. Even before it assumed this role in a major way, LSNJ was coordinating site evaluations of local programs, and these efforts have increased measurably over the past decade. To facilitate this work, in the early 1990's LSNJ drafted "Performance Criteria" for local programs, for use in self-assessment and outside evaluations. These criteria were subsequently adopted for use at the national level by the LSC. LSNJ also coordinates annual statewide reviews of performance data.

*Pro bono* coordination. In the early 1980's, during the formative years of formal *pro bono* programs in Legal Services, LSNJ coordinated program design, form implementation, policy development, and similar issues for what was essentially a completely decentralized *pro bono* system, in which responsibility for operation was ultimately left to county-level Legal Services programs and bar associations. More recently, LSNJ has taken the lead, in conjunction with key corporate partners (most notably Merck, as well as AT&T and Lucent), in developing innovative corporate counsel *pro bono* programs, in which corporate staff partner with LSNJ and one or more county Legal Services offices. These efforts have created national models.

Developing specialized statewide *pro bono* panels. In addition to the activity just described, within the last few years LSNJ has begun to supplement local program *pro bono* recruiting efforts by developing statewide specialty panels, to increase visibility and attract lawyers with specialized interests.

Initiation of statewide legal hotline and integrated intake system. The statewide legal hotline was begun in August 1997 (first in a pilot phase, with a formal rollout in May 1998). The toll free hotline number, 1 – 888 LSNJLAW, enables clients to pursue a "multi-door" set of access options, with a choice of contacting LSNJ or local programs, either way being referred to the most appropriate service provider for the most appropriate form of assistance.

LSNJ operates the statewide hotline in part so that an unrestricted service provider will handle the first point of access calls, ensuring that all eligible callers will be able to receive at least advice specific to their situation, along with any relevant self-help materials, without limiting this service to certain types of clients and problems.

#### Major challenges to be addressed

The overall challenge for the next three years, as it always is, will be to provide quality legal assistance to as many people as possible, closing the enormous gap between the need for legal help and Legal Services' capacity to provide it, in a way that ensures clients receive such essential legal aid services as are necessary to secure equal justice. In addition, as noted earlier, the national threat to IOLTA is of transcendent importance to New Jersey, since that source represents one-third of Legal Services' total funding in the state. Within this framework, New Jersey Legal Services' major challenges for the next planning period, through the end of 2001, include:

- Adopting a new, transformative statewide vision of 100% access to essential civil legal aid for indigents with significant legal problems.

- Achieving full utilization of the power of our technological infrastructure.

- Closely coordinating with the court system as it shifts to a technology-based system of operation.

- Developing statewide standardized case handling and administrative practices to achieve efficiencies.

- Avoiding any unwarranted duplication of effort that potentially could result from the current configuration of programs, through further initiatives in the area of structured collaboration, as well as further, ongoing analysis of whether, at least in particular areas of the state, the benefits of formal program consolidation outweigh the detriments.

- Developing a more descriptive, comprehensive and uniform method of reporting the full range of programs' legal assistance activities and client benefits and outcomes, going beyond mere case numbers.

- Updating the Performance Criteria for programs, including norms and ranges for cases and other services.

- Achieving similar treatment, service and outcomes for clients statewide, regardless of where they live, except where differences are required by special purpose local funding or special priority local legal problems identified through a standard statewide needs assessment, and these differences compel focusing resources on one type of problem at the expense of providing equivalent levels of service for others.

- Developing, consistent with the preceding paragraph, uniform statewide policies and procedures for cross-county referrals, conflicts, and out of state applicants for service.

- Finding new, more efficient approaches for addressing on a broader scale recurrent, repetitious and costly legal problems and case types, including

adequate representational capacity in alternative forums, such as the legislature and administrative agencies, where such recurrent problems can be addressed more efficiently. Such representation would, as in the past, be conducted by LSNJ and would use absolutely no LSC or local program funds. Preserving IOLTA funding, and if unsuccessful replacing lost IOLTA dollars through additional state funding.

Expanding Legal Services' private funding base statewide.

Seeking, to the extent possible, better utilization of and coordination with non-Legal Services legal assistance providers, to form a more effective and efficient statewide legal assistance web, which, subject to the differing missions of participating organizations, forms an integrated delivery network.

Expanding volunteer efforts to supplement Legal Services' activities.

Completion of the development of a truly integrated and coordinated statewide intake process, following certain basic tenets concerning convenience and responsiveness to clients, which meets the requirements of confidentiality.

Developing a coordinated statewide outreach and community legal education program, for greater efficiency and effectiveness, using all new technological forms of access that are available and feasible.

Effectively addressing any program management issues that impair the effective or efficient functioning of programs.

Improving coordination of major statewide legal work.

Increasing efforts to address the major problems and issues impeding retention of capable and experienced program staff, particularly professionals, including management problems, the need to achieve and maintain salary and benefit levels comparable to state and other public interest legal employers (which includes the need to analyze the impact of ever-inflating private sector salaries, and dealing with the results of that analysis), considering means of addressing the problem of huge law school loans, strategies to combat burnout, and career professional development.

Beginning to develop new leadership for the next Legal Services generation, and achieving greater diversity in that leadership.

Improving local program *pro bono* involvement and procedures.

Developing a coordinated, non-duplicative statewide approach to staff recruitment.

Integrating statewide training events with structured follow-up on the job at the local program level, for maximum effectiveness.

Through the new vision of 100% access and other steps, reenergize the corps of Legal Services staff and providers and infuse the program statewide with a new sense of energy, purpose, excitement, and commitment.

## PART THREE NEXT STEPS FOR LEGAL SERVICES IN NEW JERSEY

### The Vision

As the hub of the civil legal assistance system in New Jersey, Legal Services must articulate and embrace a new vision for the 21<sup>st</sup> century, emphasizing access for all to our society's system for dispensing justice:

Legal Services must function as a closely integrated, coordinated, non-duplicative and effective core statewide delivery system, at the hub of a broader, coordinated delivery network, a web of civil legal assistance providers. The efforts of Legal Services and this wider web must be dedicated to affording economically disadvantaged people 100% access to essential civil legal aid, provided in whatever form is most appropriate for their particular legal problem and situation, for all significant civil legal problems (meaning all problems which are not trivial or frivolous). Economically disadvantaged clients must be able to receive services from somewhere within the Legal Services statewide system, without regard to the type of case, the type of service needed, or the particular characteristics or status of the client. Restrictions based upon negative views toward certain categories of clients, or certain types of legal problems or situations, must not be imposed on Legal Services work.

Legal Services resources must be targeted, insofar as possible, to achieve the greatest measure of equal justice, both substantive and procedural, for its clients and economically disadvantaged people.

### Necessary Characteristics of an Integrated Statewide Legal Services Delivery System

In Phase I of the reengineering process, Legal Services of New Jersey adopted a set of fundamental characteristics defining what would constitute an integrated, coordinated, efficient Legal Services delivery system in New Jersey. These characteristics were updated in January 1998, and appear as Attachment 4 of this document. They constitute the overall framework for our planning and reengineering efforts. Many of these objectives have already been achieved in New Jersey.

Specific Steps and Changes To Be Pursued During the Next Reengineering Period (late 1998 through 2001)

Subject to available resources, and to the need for all programs to achieve reasonable balance in the scope and types of services they provide in the light of available resources, Legal Services in New Jersey must:

Embrace the new statewide vision for the future of Legal Services, and adopt consistent local mission statements.

Analyze the full extent and nature of the unmet need for essential civil legal aid for economically disadvantaged people in New Jersey.

LSNJ must undertake a new statewide study of need and the scope of existing services in New Jersey, updating the 1979-80 and 1986 studies. This effort should include design and implementation of a new statewide comprehensive study of the legal needs of the poor, including their utilization of lawyers or other intermediaries to resolve legal problems; development of an interim standardized legal needs assessment approach in the fall of 1998, for use by local programs pending completion of the comprehensive study; and supplementing the comprehensive needs study with a thorough and systematic qualitative analysis of substantive problems, available representation (legal and non-legal resources), and possible legal approaches to unaddressed needs and issues, culminating in an additional LSNJ report. This analysis must also include consideration of possible alternative methods for resolving disputes satisfactorily and achieving equal justice.

Specific products will include:

Substantive area analysis (completed in stages during 1999).

New major assessment of unmet need and approaches to it (completion by end of 1999).

Development of a standardized need assessment approach for local programs (to be completed by late fall 1998, and then reviewed and revised on an ongoing basis).

Improve the quantity, efficiency, quality and effectiveness of services.

This list generally tracks the “challenges” section set out earlier in this document, and describes processes and efforts that will be undertaken. Where particular time frames are applicable or specific products will result, they are noted. It bears emphasis that these steps and this entire plan assume a relatively stable level of Legal Services funding throughout the period. If IOLTA funding is lost, and not immediately replaced, the entire statewide plan will have to be revised.

Achieving full utilization of technology

Conducting an intensive new statewide computer training phase – late 1998 and early 1999.

Instituting a program of periodic visits to local programs to assess the effectiveness of their use of technology – throughout period.

Developing computerized intake questionnaires and case handling protocols – throughout period.

Coordinating closely with the courts, especially for pro per clients, as the judiciary moves toward ever greater use of technology – throughout period.

Continuing, through the statewide technology reserve fund, to upgrade and utilize innovations in available technology to improve services, including exploration of voice recognition software, video conferencing, imaging, and any other promising approaches.

Improving efficiency, avoiding any unwarranted duplication of effort that could result from the current program configuration, and continuing to consider forms of additional structured collaboration among programs, on both a statewide and a regional basis, as well as additional formal mergers. Specific steps should include:

Developing standardized statewide best case handling and administrative practices and other coordination to achieve efficiencies. This will be an ongoing effort through the period. For case handling, LSNJ staff will work with the task forces to develop checklists, protocols, and necessary supporting materials. Development of administrative best practices and other coordination will be carried out through updating the LSNJ clearinghouse for administrative policies; providing LSNJ guidance and analysis on key personnel and benefits policies; retaining a statewide employment lawyer so that programs will receive consistent, standardized advice, at substantially reduced fees; updating the statewide salary comparability study; continuing to use and explore savings from joint purchasing of insurance, fringe benefits, supplies, and equipment; and other similar activities.

Through LSNJ, continuing to facilitate analysis of structured regional or statewide collaborations, such as sharing of new staff (potentially investigators, social workers, experienced litigation supervisors, specialized case handlers), regional or statewide joint projects (such as bankruptcy representation), and the like. Where relevant, some regional collaborations may be based on similar regional legal needs – ongoing throughout period.

Finding new and more efficient ways to deal with recurrent, repetitious and costly substantive legal problems, including adequate representational capacity in alternative forums, such as the legislature and administrative agencies, where such recurrent problems can be addressed more efficiently – ongoing.

Through LSNJ, continuing analysis in selected parts of the state regarding whether formal consolidation of some programs is necessary and desirable as the best path to achieve greater efficiency and effectiveness. A summary of efforts to consider the desirability of consolidation during the 1995 – 1998 period is Attachment 5 to this document, and the factors, framework, principles and requirements for considering any such formal merger appear as

Attachments 6, 7, 8 and 9, respectively.

Analyzing, with the help of a consultant, consolidation of some or all financial operations statewide, and considering the desirability of and efficiencies associated with installation of a uniform statewide computerized accounting package in Windows – analysis completed by end of 1998; next steps dependent on findings.

More closely coordinate Legal Services work in major cases, by:

adhering to a statewide system of discussion of contemplated major local program cases (appeals, affirmative actions) with the designated experienced LSNJ staff, as well as other experienced case handlers, prior to filing (except in the extremely rare circumstances when emergent circumstances completely preclude such discussion), and by continuing to keep LSNJ informed as such cases proceed, so that LSNJ can perform both advisory and clearinghouse functions – ongoing.

Enhancing the current system, coordinated through LSNJ, of broad and coordinated sharing of legal information, together with discussion of potential approaches and strategies, especially through enhanced use of electronic means such as the statewide e-mail system and LSNJ task force folders, as well as by consultation with national experts where appropriate, all coordinated through LSNJ – ongoing.

Developing a coordinated, non-duplicative, efficient statewide approach to recruitment – develop by December 1998; ongoing thereafter.

Increasing LSNJ's efforts to interpret and explain key legal developments for staff, cooperating attorneys, and clients – ongoing.

Through LSNJ, conducting, coordinating, or facilitating, as appropriate, necessary client representation and advocacy at the national level – ongoing.

Preserving and expanding the capacity of Legal Services to provide essential legal assistance to eligible clients, including:

Monitoring the IOLTA litigation and working to preserve IOLTA funding, and working to secure state replacement funding if necessary – ongoing through period.

Working to expand Legal Services' private funding base statewide, including a major gifts initiative – ongoing.

Developing better integration, cooperation and coordination of representation efforts with the state's non-Legal Services legal assistance providers, in order to form an effective statewide legal assistance web and network, subject to the inevitable limitations on such efforts which may result from differences in organizational mission – begin in fall of 1998; ongoing.



Through close cooperation with the State Bar and other relevant organizations, expanding volunteer efforts to supplement Legal Services work, including improving local *pro bono* efforts through statewide support and guidelines; continuing the very successful development of corporate counsel *pro bono* programs; continuing to develop specialized statewide *pro bono* panels; and improving overall coordination through a single statewide information system that identifies which attorneys are taking such cases – ongoing.

Attempting to leverage greater legal assistance efforts on behalf of the economically disadvantaged by law schools and other public interest legal providers, in part by creating new forums to interact with such providers, including a regular public interest legal round table convened by LSNJ, and making available appropriate electronic resources to such providers – ongoing.

Carrying out a more systematic analysis, for each of the principal types of cases affecting low-income people, the utility and desirability of complementary and alternative dispute resolution programs as methods for resolving clients' disputes satisfactorily, and then to the extent found desirable, coordinating Legal Services' use of such mechanisms (this analysis will include examination of whether it is appropriate for Legal Services to serve as an intermediary in such situations, in light of conflicts that can result) – special analysis during 1999; appropriate implementation thereafter.

Further integrating Legal Services work into an effective statewide system, including:

Further developing a truly integrated and coordinated statewide intake process, consistent with basic statewide tenets which emphasize convenience and accessibility to clients, and meet confidentiality requirements. These tenets include at a minimum:

A multi-door concept, under which clients can have a variety of possible initial points of entry to the statewide Legal Services system, but all such points will efficiently channel the clients promptly to the most appropriate point of service.

A single coordinated statewide approach to publicizing the availability of services, with the statewide 888 number being the only one advertised.

All programs will provide – or will pass on to the LSNJ statewide hotline to provide – prompt telephone advice to eligible callers, if the program is not going to provide extended representation.

No client will be required to appear personally at an office just to be initially screened as to whether the client is eligible for service; callers will be screened on the telephone.

Clients will not be required to appear more than once at an office in order to be seen by a case handler.

Clients will be screened for eligibility only once, regardless of their point of entry into the statewide Legal Services system.

There will be the capacity for immediate switching of calls from the hotline to local offices; if appropriate, callers to local offices will be given the toll-free number to reach the LSNJ hotline.

Clients who walk into local offices as their first method of contact will be responded to promptly and with dignity, and will not be required to wait in the office for hours simply to see a case handler.

On normal business days, all offices will open at 8:30 or 9:00, will remain open until 5:00, and will remain open to walk-in clients and callers throughout the day, including the lunch time period.

No program will set up new local phone intake practices without coordinating with the statewide hotline.

All programs will explore, and will continue to consider, the feasibility of some of in-court intake capacity on return dates for typical Legal Services cases (for example, tenancy court day).

Programs will ensure that clients receive courteous, prompt, attentive responses from program staff, and all clients will be treated with dignity.

Exploring and experimenting with other approaches to improving client access, including use of outside computer terminals in homes or public places, video communication, and any other technology that holds promise – ongoing.

More systematic experimentation with and evaluation of the usefulness and desirability of self help clinics and materials.

Developing a coordinated statewide outreach and community legal education strategy, utilizing all new available technologies wherever possible, to enhance awareness of legal rights and help prevent legal problems – design fully by early 1999.

Developing uniform, statewide, cross-county referral, conflict and out-of-state client acceptance policies – by December 1998.

Ensuring consideration of and responsiveness to the needs of special client subpopulations, such as migrants, farmworkers, other seasonal and day-haul workers, youth, seniors, homebound and frail people, individuals with disabilities, immigrants, non-English speakers, prisoners, the institutionalized, and other vulnerable people with difficulties accessing lawyers – study as part of statewide need assessment; complete by end of 1999; consider new experimental or pilot projects to reach any of these populations (ongoing)

throughout period).

Further developing an integrated statewide public information system concerning the work of Legal Services – ongoing.

Addressing recurrent problems and issues impeding retention of competent and experienced staff, particularly attorneys (where the largest turnover and loss historically has taken place), including management problems, efforts to achieve salary and benefit levels comparable to other state and public legal employers, new approaches to deal with the problem of large law school loans and soaring private firm salaries, strategies to reduce burnout, and approaches such as regional sharing of positions which promote career professional development – ongoing.

Integrating statewide training events with structured follow-up on the job by local program management and staff, to ensure maximum effectiveness – incorporate plan for each training, starting in 1999.

Improving supervision of legal work – ongoing.

Through a new vision and goal of 100% access and other steps, reenergizing the corps of Legal Services staff, board members and supporters, and building bridges to new supporters, and thereby infusing the Legal Services program statewide with a new sense of purpose, excitement and commitment – ongoing.

Beginning to develop new leadership for the next Legal Services generation, and achieving greater diversity in that leadership – ongoing.

Addressing lack of diversity in certain programs – ongoing.

Developing a firm cooperative statewide policy for sharing and loaning staff to other programs to respond to special local crises or emergencies in the client community, or to make staff resources or expertise available, particularly to smaller programs or offices, when there are temporary deficiencies caused by turnover, illness, emergencies or other special circumstances.

Enhance statewide accountability for performance by:

Developing and implementing a new statewide protocol for ongoing program self-assessment by December 1998.

Finishing work on standardized performance criteria and norms for all categories of staff, starting with directors – directors and attorneys completed by December 1998; paralegals by February 1999; other staff thereafter.

Setting program performance norms, and updating the statewide program Performance Criteria – by early 1999.

Continuing with a variety of program technical assistance visits and evaluations – ongoing.

Developing a uniform core client satisfaction survey for administration statewide – by early 1999.

Developing a uniform program performance reporting system, which describes and to the extent possible quantifies a more comprehensive range of program performance and results in ways other than mere case numbers – by early 1999.

Analyzing and to the extent useful and feasible implementing a statewide approach to outcome measurement – by mid-1999.

In the final analysis, achieving similar, fair and quality treatment, service and outcomes for clients statewide, regardless of where they live. (It is understood that in some circumstances differences may be required by special purpose local funding or special priority local legal problems, but those local differences should still be identified through a standardized statewide approach to needs assessment.) This approach connotes underlying statewide consistency in priorities and case acceptance practices – ongoing.

**INTERIM REPORT CONCERNING  
PHASE ONE  
OF  
THE NEW JERSEY LEGAL SERVICES  
COMPREHENSIVE PLANNING PROCESS**

**Prepared by Legal Services of New Jersey  
November 30, 1995**

## **PART ONE**

### **PURPOSE OF THE STATEWIDE PLANNING PROCESS**

Legal Services in New Jersey has undertaken a comprehensive examination of the effectiveness and efficiency of every aspect of its program operations, looking to a "reengineering" of the way legal services to low-income people are delivered in the state. Such a comprehensive review is urgently needed now for several reasons:

an overall statewide review of New Jersey Legal Services' efficiency and effectiveness is necessary in light of imminent federal funding cuts, to insure that Legal Services' remaining funding is used as effectively as possible; the last serious look at one key aspect of New Jersey Legal Services, the organizational structure and interaction of its programs, occurred in 1981; with the funding cuts will come new restrictions on the types of cases Legal Services may accept and the kinds of services it may provide, affecting all funds in the hands of Legal Services grantees, and forcing Legal Services to consider how to arrange for services critically needed by clients to be provided in ways other than through Legal Services Corporation-funded basic field programs; and with the imminent federal changes, restrictions, cuts, or eliminations in nearly all federal programs for the poor, Legal Services' clients appear likely to face unprecedented legal problems and hardships.

There are three fundamental goals for this comprehensive review: to improve the effectiveness and impact of services, to increase efficiency and maximize the resources devoted to helping clients, and to increase available resources and other support for Legal Services.

Legal Services of New Jersey (LSNJ) and the state's local project directors recognized the need for this planning process and review back in the spring of 1995, and LSNJ commenced a series of meetings among Legal Services program representatives

and others. As set forth below, it is anticipated that the overall process of review, planning, and implementation will take eighteen more months for the first phase of this “reengineering” process, with a target completion date of July 1, 1997. Many key parts, however, will be in place by mid-1996. After the first phase, there will be planning for a second phase, starting in 1998.

By mid-1995, the federal Legal Services Corporation (LSC) lent its own impetus to the planning process, by requiring its grantees to engage in a statewide planning process to address the many ramifications of the changes in federal Legal Services funding. The LSC imposed a deadline of November 1, 1995 for submission of each "state plan."

This document was prepared to respond to that LSC request, and represents a summary of New Jersey's preliminary planning and reengineering efforts. The complete two-year first phase reengineering effort (June 1995 through June 1997) will include the following activities: research, information-gathering and analysis; meetings with Legal Services directors, staff, board members, bar leaders, community representatives, and other interested parties; site visits by LSNJ teams to all New Jersey Legal Services offices and programs, to assess current operations and gather relevant information; working committees to address the various restructuring projects, detailed below; consideration of possible program consolidation and reconfiguration by still other working groups; data-gathering concerning and discussions with outside providers of legal assistance to low-income people in the state, to assess the extent and likely future impact of their operations; and visits to high-quality Legal Services programs in other states.

## **PART TWO -**

### **THE CONTEXT FOR THE PLANNING AND REENGINEERING PROCESS**

Transcending all other contextual factors are two facts: the depth and extent of poverty in New Jersey is increasing, and the demand for help made on Legal Services

offices continues to increase, and is overwhelming staff.

Coupled with this increased poverty and demand is stagnation or reduction in available resources. State and IOLTA funding have reached a plateau, federal funding will decline by at least 40% (\$3 million) statewide in 1996, and local sources are either declining or flat.

Competitive grantmaking, to be introduced for LSC grants in 1996, threatens to place undue emphasis on cost - as distinguished from quality or effectiveness - as the major criterion for making grant awards. While cost has not been the primary focus of the first RFP, it threatens to take on increased, if not predominant, importance in the future.

Competitive bidding thus combines with increased demand and diminished resources to form a strangulating triad, creating disproportionately high pressure for very brief service to the largest possible number of people, and diminishing encouragement of the in-depth and extended legal representation which is necessary to resolve a many of the problems which clients bring to Legal Services. Seen in this way, Legal Services' immediate future could take on the most undesirable characteristics of the pre-1965 legal aid societies, which with rare exception provided only very brief advice and occasional referral, and shunned virtually all direct representation in litigation or any other ongoing basis.



**PART THREE -**  
**THE STATUS OF LEGAL SERVICES IN NEW JERSEY**

New Jersey's Legal Services system has been in existence for thirty years, and has provided assistance to well over 1 million clients. Collectively Legal Services has an extraordinarily positive reputation with the state's judiciary, executive branch, legislature and organized bar. The state's fifteen Legal Services programs have managed to retain very substantial numbers of expert, experienced and dedicated staff. Buttressed by Legal Services, these staff constitute a formidable resource of institutional knowledge about how to address the legal problems of impoverished people.

Issues which LSNJ and local programs will be working on during the planning and reengineering process include maintaining a balance between individual casework and the ability to impact on the repetitive and most serious legal problems of the disadvantaged; breaking down specialty and other isolation within programs and geographical isolation between programs; overcoming the retreat of some programs and staff from having a visible and physical presence in their client communities (where it has occurred, this retreat has been a result of too many years with too few resources to serve even those clients who walk in the door); and vastly enhancing Legal Services' coordination and cooperation among programs, tying them even more into a single, closely integrated statewide delivery system.

## **PART FOUR -**

### **THE MISSION OF LEGAL SERVICES IN NEW JERSEY**

Legal Services exists to provide essential legal aid for significant civil legal problems to people who cannot otherwise afford legal help. This legal assistance should:

Include the full range of services necessary to address clients' problems, which can, depending upon the matter, vary from brief advice and referral to litigation and representation in non-judicial forums.

Address the most pressing and serious legal matters affecting impoverished people in the geographical service area. "Most pressing and serious" includes situations where a person is a defendant in a legal proceeding where there is some significant interest at stake, where adequate relief for an important claim or situation can only be secured through the legal system or legal processes, and where a lawyer is necessary as a practical matter to provide such defense or secure such relief.

Be available to all major segments of the low-income population. Legal Services' unique strength is its ability to build and retain an experienced and expert core staff to provide specialized legal assistance in areas of law affecting financially disadvantaged people. It should strive to utilize such expertise to identify recurrent patterns of significant problems affecting disadvantaged people, learning from past work and avoiding inefficient, repetitious conduct. Legal Services should also maximize efficiency and effectiveness by coordinating its efforts on a statewide basis in a highly synchronized way. Legal Services in New Jersey is a statewide system, with the vast majority of its resources being made available at the state level. As a result, certain statewide parameters and norms of conduct are necessary and appropriate.

Key to this vision of a statewide, integrated legal assistance delivery system are the following elements:

In each county, Legal Services must consciously see itself as and serve as the principal entry point for all requests for help from this state's legal assistance delivery system. This is necessary to achieve maximum effectiveness or efficiency, Legal Services must participate in statewide or regional collaborative efforts to improve and streamline service delivery.

Legal Services must constantly strive to build its institutional expertise, at an office, program, and statewide level, and to make useful information from that expertise, on law, legal rights and the legal system, available to financially disadvantaged people.

## **PART FIVE -**

### **THE EXTENT OF THE NEED FOR CIVIL LEGAL ASSISTANCE IN NEW JERSEY**

A wealth of inforative/financial salaries saved, offset by additional cost of personnel added to a larger consolidated administrative operation. (\*Many of these savings could be realized by consolidating financial operations in a single statewide entity, effectively purchasing such service from a service bureau.)

\*Savings from consolidated audit.

Savings from reduced administrative time-on-task (fewer grant applications, reports, etc.), offset by greater time-on-task costs because of size-driven, more complex management/administrative issues.

Upward effect on statewide salary and benefit costs from “leveling up.”

\*Savings from bulk purchasing or contracting advantage (insurance, library, supplies, equipment, service contracts, etc.).

Additional costs from greater intraoffice travel (for meetings).

Higher personnel costs from heightened regulation (ERISA, COBRA, etc.) that attaches to larger corporate entity.

Additional costs because of formal labor-management structure.

One-time reorganization costs.

Possible time/travel savings from having court cases handled by casehandlers situated close to the courts or agencies where the hearings are being held, offset by factors militating against such case transfers (forcing client to travel to see more distant casehandler; diminished quality if distant transferee casehandler is not directly familiar with client or client’s case).

\*Savings from technological and administrative uniformity.

B. What will be the effect on client access, if any?

\* Enhanced by statewide use of telephone advice and wider centralized intake?

Risk that some offices will be closed?

Risk that some newly-created specialists will be more geographically distant from some sectors of the client population, as contrasted with the previous small-office generalist days?

Easier access for clients who live near current service area borders?

Less (no) access of clients with conflicts to staff attorneys in a newly consolidated program (if under the current multiple-program configuration programs currently refer clients who are conflicted out to staff attorneys in neighboring Legal Services programs).

C. What will be the effect on overall quality of services?

Larger staff offers potential for greater specialization, offset by the need to regulate and limit this specialization in order to avoid the dangers of over-specialization (but see offset (B)(3), above).

\*Larger staff offers chance to broaden priorities to encompass areas beyond traditional major Legal Services priorities (*e.g.*, environmental justice, education law, community development, etc.).

\*Potentially greater ability to retain experienced staff because of more classic hierarchical structure, greater career ladder, etc. (but offset by higher cost of attracting/keeping more experienced staff).

\*Greater flexibility in shifting staff to cover vacancies or respond to disasters and other emergencies.

Potentially less responsiveness to local community needs as center of power and decision-making moves away from that community (but can be offset by various mechanisms which leave those decisions in the hands of local community/bar representatives, managers and staff).

1. \*Ability to develop common strategies for problems that affect multiple areas of the state.

## II. Other factors

Geography and demographics: size of state; diversity of client population and problems; location of client population (whether widely dispersed, concentrated in a few areas, or densely packed and relatively constant throughout most of state).

Size of current programs and offices: very small (five or fewer attorneys) offices can present particular problems and needs.

\*Potential for unified fundraising (offset by potentially less contact between central authority and local funders).

\*Less isolation from being part of larger program, offset by lower morale from sense of loss of control as physical distance from decision-making authority increases.

Ability to attract more experienced administrator to more challenging, larger program, offset by greater risk stemming from the much more pervasive effect that a bad administrator can have in such a larger program, and by a large program director's necessarily greater distance from – and lack of connection to – day-to-day casework and advocacy (which in turn can be ameliorated by more creative organizational approaches).

Will there be a higher level of political insulation in a larger program, or is it actually more visible and vulnerable to attack and restriction, and in any event is any possible insulation offset by the loss of rootedness in local communities and the consequent loss of a sense of ownership by those communities' political and organizational forces?

Degree of disruption that can accompany any consolidation, and degree of bad

feeling that can endure after any forced merger.

Position of local bars, community groups, politicians, and other organizations.

Potential loss of shared culture and history.

Potential suppression of innovation and creativity in a more monolithic, larger consolidated institution.

Whether merger is a necessary, optimal strategy to deal with underperforming programs or problematic directors or boards.

**Fundamental Principles Guiding any Proposed Program  
Reconfiguration**



The following ten principles were established in 1995 during Phase One of the New Jersey Legal Services Planning and Reengineering Process, and will be applied by LSNJ as it considers any proposals for consolidation:

A merger proposal will be approved only if it appears to hold potential for improving the quality or quantity of services to clients, and that such gains are likely to outweigh any costs or drawbacks.

In general, the desired target size for the resulting program will be between 12 and 25 attorneys, along with normal levels of supporting staff.

In-county funding (*e.g.*, United Way, county) must remain in the county providing it, unless the funding source gives permission otherwise.

Over time, consolidated programs should phase in relative equalization (based on poverty population) of their non-county based funding among the counties in their service area, with due regard to the possible need to concentrate resources in areas with highly impacted extreme poverty, such as major cities.

To the extent possible, all current staffed county central offices should remain, to maintain a strong presence in and connection to every county, and maintain at least current levels of client physical access. Physical propinquity to clients is a key value.

Existing program staff whose roles may be collapsed or changed must be given every opportunity (and preference if qualified) to fill newly created jobs and roles.

Board composition (viewed by county) should be proportionate to the client populations and other relevant factors (*e.g.*, proportions of local funding) in those counties, although achievement of this objective may need to be phased in over a few years.

There will have to be plans for effective mechanisms, which could be county

advisory councils or other suitable approaches, to ensure meaningful client and other local input into program policy decisions.

Efficiencies and redirections of resources to client services should be achieved wherever feasible through centralized administration.

**Requirements of a Consolidation Plan**

To be approved by LSNJ, any merger proposal between two or more programs also would have to be set out in a formal Reorganization Plan, which must:

Be consistent with a comprehensive statewide plan and map as to how the state would best fit together as a whole, and not leave any county or area isolated.

Enhance or at least preserve current levels of client access, unless resource cuts make a diminution of access inevitable.

Be consonant with client population demographics, ensuring that no major concentration of low-income people would be left without effective access.

Detail the key elements of how the program would operate (board organization, staffing, office location, specialization, number and use of paralegals, identity of key personnel, service enhancements or diminutions, location of staff, and use of circuit-riding, among other things).

Identify all proposed savings (by way of either expenditure reduction or redirection to services ), net of all increased costs.

Describe how any advisory councils would be composed and function, or any alternative methods for ensuring local input.

Explain how each county's identity, presence, and local funding would be preserved and strengthened.

Describe how intake would be handled.

Describe how cross-fertilization of specialists would be ensured and how communication would take place within the program

Describe how supervision, evaluation and administration would be carried out.

Set out the initial plan for allocating all resources.

